

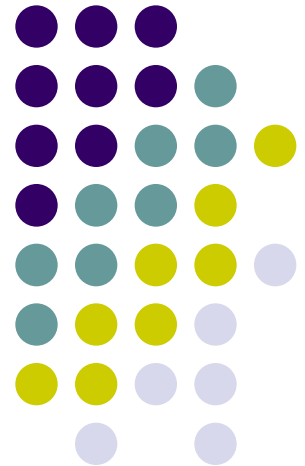
Radiation Rulemaking & X-Ray Rule Updates



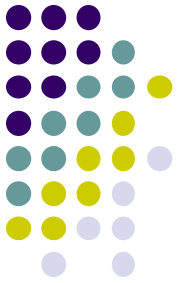
Regulatory Conference
September 2014

Monica Perez

Radiation Rule Development Program
Policy, Standards and Quality Assurance Unit

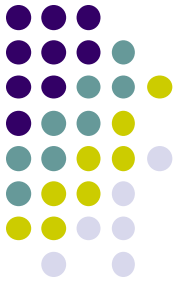


Rulemaking Triggers



- Legislation
- Compatibility
- Public Health & Safety
- Security
- 4 Year Review

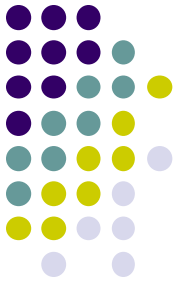
DSHS Rulemaking Process



Rule process takes 18 to 20 months

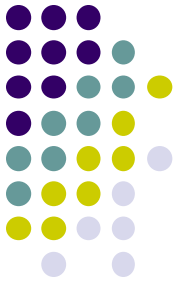
- Working Paper
- Draft Rule
- Proposed Rule
- Adoption of Final Rule

DSHS Rulemaking Process



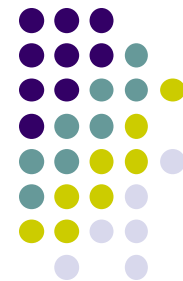
- Working Paper
 - For new rules or extended staff review/discussion
 - Vetted through in-house staff only
 - Staff perspective essential

DSHS Rulemaking Process



- Draft rule
 - Email notification to Stakeholders for review/input
 - Available on Radiation Program Rule web page
 - Stakeholder and Staff perspective essential
 - Staff review/discuss comments received to make determination of suggested changes

DSHS Rulemaking Process



- Proposed Rule
 - Formal comment period & public meeting
 - Email notification to Stakeholders for review/input
 - Available on Radiation Program Rule web page
 - Staff review/discuss comments received to make determination of suggested changes
 - Response to comments via Adoption Preamble
 - Stakeholder and Staff perspective essential

DSHS Rulemaking Process



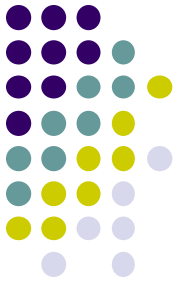
- Proposed Rule Vetted Through:
 - Division of Regulatory Services Management
 - Program Attorney
 - Texas Radiation Advisory Board
 - State Health Services Council
 - Executive Commissioner of the Health & Human Services Commission

DSHS Rulemaking Process



- Adoption of Final Rule
 - Too late for substantive changes
 - Published in Texas Register, becomes effective 20 days after filing or later projected date
 - Email notification to Stakeholders & Staff
 - Available on Radiation Program Rule web page

DSHS Rulemaking Process



Revised rules are either:

- Amendments
- Repeal and New
- New

DSHS Rulemaking Process



Rules with Amendments

The Agency is seeking your input regarding the following noted suggested rule changes. These suggested changes are NOT final rule changes.

Legend: (Draft/Proposed Amendment(s))

Single Underline = Draft/Proposed new language

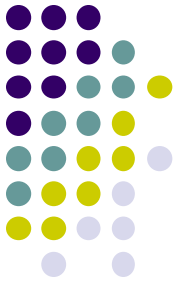
[Bold, Print, and Brackets] = Current language drafted/proposed for deletion

Regular Print = Current language

(No change.) = No changes are being considered for the designated subdivision



DSHS Rulemaking Process



Sample Rule Text with Amendments

(d) Exemptions.

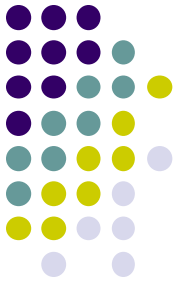
(1) (No change.)

(2) Individuals who are sole physicians, **[practitioners and]** sole operators and the only occupationally exposed individual are exempt from the following requirements:

(A) (No change.)

(B) subsection (h)(1)(G) **[(h)(1)(D)]** of this section.

DSHS Rulemaking Process



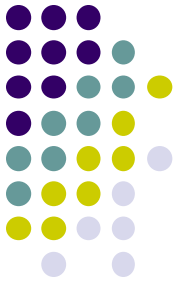
Rules that are Repeal/New OR New

The Agency is seeking your input regarding the following noted suggested rule changes. These suggested changes are NOT final rule changes.

Legend: (Draft/Proposed New Rule(s))

Regular Print = Draft/Proposed new language

DSHS Rulemaking Process



Sample Rule Text for Repeal/New OR New

(a) Purpose.

(1) This section provides for the registration of persons using radiation machines and persons who are in the business of providing radiation machine services.

(2) A person who receives, possesses, uses, owns, or acquires radiation machines prior to receiving a certificate of registration is subject to the requirements of this chapter.

DSHS Rulemaking Process

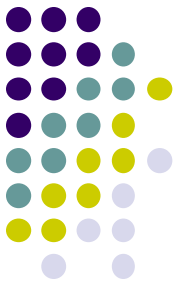


DSHS Rule Notification System

- Free Email self-subscription on Radiation Program Home web page (see Instructions hand-out)
- Notification of comment periods for Draft and Proposed rules
- Notification of Final rules



DSHS Rulemaking Process



Radiation Control Program Home Page - Windows Internet Explorer

http://www.dshs.state.tx.us/radiation/

Advanced Inicio en español | Text Size:

Topics: A B C D E F G H I J K L M N O P Q R
S T U V W X Y Z All

Home About Us News I am a... I want to... Resources Find Services

RCP Home
About Radiation Control
Computed Tomography (CT)
Draft and Proposed Rules for Comment
Emergency Preparedness
Fingerprinting Workshop
Frequently Asked Questions (FAQs)
Industrial Radiographers
Laser Hair Removal
Laser and Laser Services
Registration

Home > Radiation Control Program > Home Page - Radiation Control Program

Home Page - Radiation Control Program

[Sign up for e-mail updates](#)

The Texas Department of State Health Services, Radiation Control Program, has the important mission to protect and promote the physical and environmental health of the people of Texas. We strive to prevent unnecessary radiation exposure to the public through effective licensing, registration, inspection, enforcement, and emergency response.

We carry out our mission efficiently, effectively, and professionally with respect and dedication to all Texans.

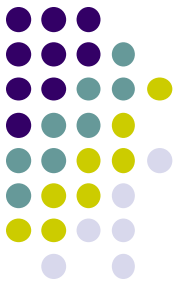
"We welcome your questions and comments concerning our efforts to protect the citizens of Texas and the environment."

RICHARD A. RATLIFF, P.E. – Agreement State Director

- Applications and Forms
- Complaint Process
- Contact Us
- Enforcement Actions
- Links
- Open Records
- Rules and Regulations
- Statutes and Laws
- Survey Request

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DSHS Rulemaking Process



Radiation Control Program - Sign up for Email Updates. - Windows Internet Explorer

http://www.dshs.state.tx.us/radiation/Sign-up-for-Email-Updates/

Advanced Inicio en español | Text Size:

Topics: A B C D E F G H I J K L M N O P Q R
S T U V W X Y Z All

Home About Us News I am a... I want to... Resources Find Services

RCP Home
About Radiation Control
Computed Tomography (CT)
Draft and Proposed Rules for Comment
Emergency Preparedness
Fingerprinting Workshop
Frequently Asked Questions (FAQs)
Industrial Radiographers
Laser Hair Removal
Laser and Laser Services
Registration

Home > Radiation Control Program > Sign up for Email Updates

Sign up for Email Updates

DSHS Radiation Control Program - "Self-Subscription" Rule Notices

Radiation Control Rules
To receive email notification of Draft/Proposed/Final rules, please subscribe to EACH rule that may apply to your facility. For the list of 25 TAC §289 rules that apply to your facility, please see your current Certificate of Registration, License, and/or GLA.

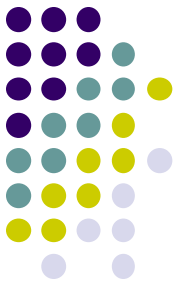
Radiation Control Rules	"Self-Subscription" Links
Dental Rule(s): 232	Sign up for e-mail updates
Laser Rule(s): 203, 204, 205, 231, 301	Sign up for e-mail updates
Laser Hair Removal Rule(s): 302	Sign up for e-mail updates
Mammography Rule(s): 203, 204, 205, 226, 230/234, 231	Sign up for e-mail updates
Radioactive Material - General License Acknowledgement/Gauge	Sign up for e-mail updates

- Applications and Forms
- Complaint Process
- Contact Us
- Enforcement Actions
- Links
- Open Records
- Rules and Regulations
- Statutes and Laws
- Survey Request

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Final X-Ray Rules

Since 2010 Regulatory Conference



5 Radiation rules have been revised that impact most Registrants :

- 25 TAC, §289.229
 - 25 TAC, §289.231
 - 25 TAC, §289.204
- 25 TAC, §289.226
 - 25 TAC, §289.227

Final X-Ray Rules

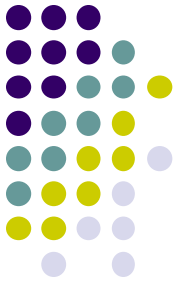


25 Texas Administrative Code, §289.229
Radiation Safety Requirements for
Accelerators, Therapeutic Radiation
Machines, Simulators, and Electronic
Brachytherapy Devices

Rule Effective Date: December 29, 2011



Final X-Ray Rules



25 Texas Administrative Code, §289.231
General Provisions and Standards for
Protection Against Machine-Produced
Radiation

Rule Effective Date: December 29, 2011

Final X-Ray Rules

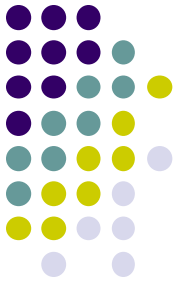


25 Texas Administrative Code, §289.204
Fees for Certificates of Registration,
Radioactive Material Licenses, Emergency
Planning and Implementation, and Other
Regulatory Services

Rule Effective Date: January 1, 2012



Final X-Ray Rules



25 Texas Administrative Code, §289.227
Use of Radiation Machines in the Healing
Arts

Rule Effective Date: May 1, 2013

Final X-Ray Rules



25 Texas Administrative Code, §289.226
Registration of Radiation Machine Use
and Services

Rule Effective Date: December 17, 2013

Status of X-Ray Rule Revisions

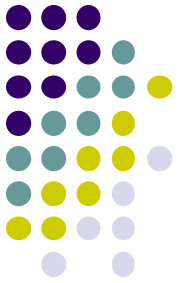


No x-ray rules being revised at present time

Future revisions of 2 x-ray rules pending to incorporate applicable changes made to §§289.204, 289.226, 289.227, & 289.231:

§289.232 (Dental)

§289.233 (Vet)



Rule Program Staff

Chuck Flynn, Manager

Chuck.Flynn@dshs.state.tx.us

Monica Perez

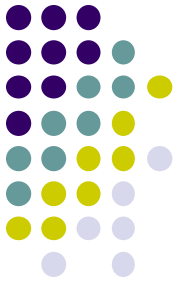
Monica.Perez@dshs.state.tx.us

Peggy Westlund

Peggy.Westlund@dshs.state.tx.us



Radiation Program Web Pages

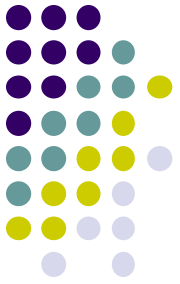


Home

<http://www.dshs.state.tx.us/radiation>

Rules

<http://www.dshs.state.tx.us/radiation/rules.shtm>



Questions?